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**House Bill 2189: Career Schools Operation**  
**Senate Education and Workforce Development Committee**  
**April 18, 2013**

Chair Hass, members of the committee, I am Matthew Barber, a Compliance Specialist with, and lead worker of, the Private Career Schools Licensing Unit at the Oregon Department of Education. I am here today to testify in support of HB 2189, which would allow the State Board of Education to adopt administrative rules, pursuant to ORS chapter 183, for the general governance and operation of career schools, as well as adopt profession-specific rules. The bill also contains a housekeeping provision.

**Background**

This clarification of the State Board of Education's authority is necessary because the Department regulates career schools that provide training in non-traditional careers and fields in which there is a lack of standardization or oversight. For example, the Department has licensed several phlebotomy schools but no state agency regulates phlebotomists. There are two or three national, private organizations that certify phlebotomists, but they only set standards for the certifications they award and not for the industry as a whole. Other schools, such as those that provide instruction in modeling and acting, don't have a standard curriculum and don't prepare students for a traditional career.

As regards the housekeeping provision, the legislature has directed the Department to adopt rules for cosmetology schools, including those offering programs based on a student's demonstration of proficiency. Such programs are described in ORS 345.400 as being "competency-based." Three years ago the Department adopted a curriculum model, a system of instructional design, for use by Oregon's career schools. One of the elements in this system is that schools must identify the competencies in their instructional programs. The differing uses of the word "competency" has unintentionally caused a small degree of confusion. This amendment is intended to resolve that confusion.

**Issue**

Having clear authority to adopt rules that specifically address the unique situations presented by career schools that provide training in non-traditional careers and fields in which there is a lack of standardization or oversight, such as recognizing the American Red Cross's phlebotomy curriculum as a standard, or adopting governance requirements for modeling schools, would allow the licensing unit's staff to better serve the interests of those schools and their students.

Improving clarity and reducing potential for confusion benefits licensees.

**Legislation**

HB 2188 amends ORS 345.020 to clarify that, in administering Oregon’s private career school statutes, ORS 345.010 to 345.450 and 345.992 to 345.997, the Board may adopt administrative rules regarding the general governance and operation of a career school, as well as adopt rules that are specific to a particular type of career school.

Turning to the housekeeping measure, HB 2189 would amend ORS 345.400 to change “competency-based training” to “proficiency-based training.” This is intended to provide clarity to licensees and reduce the potential for confusion.

**Support**

The Private Career Schools State Advisory Committee has approved the amendments within HB 2189 and is supportive of them.

**Conclusion**

We ask that the committee vote in favor of HB 2189 and pass it with a “do pass” recommendation.